IN THE HIGH COURT OF JUDICATURE AT BOMBAY
Appellate Side
WRIT PETITION NO.4596 of 2006

Shri Mohan Mulherkar .. .. Petitioner
v/s.
Shri P.S.Patil & anr. .. .. Respondents

Mr.Amit Borkar for petitioner.
Mr.A.M.Sethna for respondents.

CORAM : H.L. GOKHALE &
V.R. KINGAONKAR, JJ.

DATED : 9th August 2006

P.C. :

1. Heard the learned Counsel for the parties.

2. The grievance of the petitioner is that the authorities of the Excise Department were insisting on the personal presence of the petitioner whereas under Section 14(2) of the Central Excise Act, 1944, it is permissible for a party to be represented by an authorised agent. A reply has been filed by the Deputy Commissioner, Central Excise, Kolhapur, stating that on an earlier date, the representative of the petitioner was permitted to attend. Over and above, Mr.Sethna appearing for the respondents has made a statement that hereafter also if an authorised agent of the petitioner appears before the officer concerned, he can represent him and there is no

necessity of the personal presence of the petitioner.

3. In view of what is stated above, there is nothing further required to be done in the matter. Petition stands disposed of.

(H.L. GOKHALE, J.)

(V.R. KINGAONKAR, J.)